

**Introduced by Senator Ashburn**

February 19, 2004

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An act to amend Sections 51430, 51440, and 51442 of, to amend the heading of Article 3.5 (commencing with Section 51430) of, and to repeal the heading of Article 4 of, Chapter 3 of Part 28 of, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1517, as introduced, Ashburn. Retroactive high school diplomas for veterans.

Existing law sets forth the requirements for the issuance of high school diplomas or equivalency certificates. Existing law authorizes a school district that maintains a high school to grant a high school diploma to a veteran that is a resident if the governing board of that district is satisfied that that veteran has completed the equivalent of the requirements for graduation from high school.

Existing law, notwithstanding any other provision of law to the contrary, authorizes a high school district, unified school district, or county office of education, to retroactively grant a high school diploma to a former pupil who was interned in the United States by order of the federal government during World War II, as provided.

This bill would extend that authorization to retroactively granting a high school diploma to a former pupil who is a veteran, as provided. The bill would also make various technical, nonsubstantive, and conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. The heading of Article 3.5 (commencing with Section 51430) of Chapter 3 of Part 28 of the Education Code is amended to read:

Article 3.5. ~~High~~ *Retroactive High School Diplomas for*  
~~World War II Internees~~

SEC. 2. Section 51430 of the Education Code is amended to read:

51430. (a) Notwithstanding any other provision of law ~~to the contrary~~, a high school district, unified school district, or county office of education, may retroactively grant a high school diploma to a person who has not received a high school diploma if he or she *meets either of the following conditions:*

(1) *The person was interned by order of the federal government during World War II and was enrolled in a high school operated by the school district or under the jurisdiction of the county office of education immediately preceding his or her internment and did not receive a high school diploma because the pupil's his or her education was interrupted due to his or her internment during World War II.*

(2) *The person is a veteran and was enrolled in a high school operated by the school district or under the jurisdiction of the county office of education immediately preceding his or her military service and did not receive a high school diploma because his or her education was interrupted due to his or her military service.*

SEC. 3. The heading of Article 4 (commencing with Section 51440) of Chapter 3 of Part 28 of the Education Code is repealed.

~~Article 4.—Veterans education~~

SEC. 4. Section 51440 of the Education Code is amended to read:

51440. (a) Subject to regulations ~~which~~ *that* the State Board of Education shall prescribe, the governing board of ~~any~~ *a* school district maintaining a four-year high school or senior high school may, for ~~any~~ *a* person included in subdivision (b), evaluate classes

1 completed in any high school, community college, or state college;  
2 grant credit toward graduation for military service and training  
3 received while in the military service of the United States, and if  
4 satisfied that ~~such~~ *that* person has completed the equivalent of the  
5 requirements for graduation from high school, grant him *or her* a  
6 diploma of graduation.

7 (b) Persons who may be granted a diploma pursuant to  
8 subdivision (a) are:

9 (1) ~~A veteran who is a resident of this state.~~

10 (2) ~~A~~ former member of the armed forces who is ~~such~~ a  
11 resident *of this state* and who has received other than a  
12 dishonorable discharge.

13 ~~(3)~~

14 (2) A member of the armed forces who is, and on the date he  
15 entered the armed forces was, ~~such~~ a resident *of this state*.

16 SEC. 5. Section 51441 of the Education Code is amended to  
17 read:

18 51441. A veteran who entered the military service of the  
19 United States while a ~~student~~ *pupil* in the ~~12th~~ grade *12* of a high  
20 school and who at the time of his *or her* entrance into such military  
21 service had satisfactorily completed the first half of the work  
22 required for ~~the 12th~~ grade *12* shall be granted a diploma of  
23 graduation from ~~such~~ *that* high school.

24 SEC. 6. Section 51442 of the Education Code is amended to  
25 read:

26 51442. ~~“Veteran” as used in Sections 51440 and 51441~~ *For*  
27 *purposes of this article, “veteran” means a person who has served*  
28 *90 days or more in the military service of the United States during*  
29 *a war with a foreign power or during any national emergency*  
30 *declared by the President of the United States and who has been*  
31 *honorably discharged from* ~~such~~ *that* service.